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15.

Original ~~copy of~~ Reply
of Dr. Hart
to
Mr. Maxwell's Letter

Dated July 5. 1839

T. S

Th^s. Slidell Esqr. }
U.S. Dist Atty } New Orleans 5 July 1839.

Sir

In reply to the 2^d. letter of the Melter & Refiner, I have but few observations to make

I am again charged with having made a report on a deposite of Silver without having assayed it, I requested to have Mr Nixon examined, but there was not time, as but One day remained for Mr Tyler & his witnesses to be examined, His affidavit however will be taken before ~~Mr. Davis the~~ a Notary, & forwarded with the other documents or by mail. With a gentleman, my Solemn oath would have been deemed sufficient, & indeed it was the business of the M & R to have had Mr Nixon examined as he was the only person who could sustain his charge, & give any positive testimony on the subject. In relation to the deposite of Lizardi, I see no reason to change the opinion I have always expressed and entertained, I am satisfied that the Bullion was mixed, & was in great confusion, that No 52 originally contained no Gold that made a report necessary, as whenever Silver has contained Gold, I have without a single exception, Confirmed the oven assay after separating & Weighing the Gold, by the humid assay, & any person who is acquainted with assaying, Knows that an error in Calculation would be immediatly detected.

I Know nothing of the book "of which the M & R says the book Containing that settlement was put aside and the account defaced no doubt for the purpose of Concealing that entry, that the falsity of the letter written to the Director might not appear, you will recollect my success in detecting this fraud in the books & in bringing to light the fact of the true book presented being in appearance so nearly a fac simile as to deceive the Observer without the most rigid Scrutiny." All this is pure

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invention, & as false as it is artful & Malicious.

What appears on the second page of the M&R's letter is perfectly unintelligible to me in regard to No 52 having Contained 8,698 oz Gold. I am satisfied it never Contained Gold that would Authorise a report, I can only refer to what has been already said on the subject

The account refered to, will speak for itself, The Director will no doubt recollect Mr Bradfords letter written at that time ~~on that~~ on that very subject; & that the Director was satisfied is evident from the fact, that he took no notice of the Case, I have never changed my position as to what I have said about wastage, I now add that if the M&R has not introduced the 64 oz Stand Silver of which he speaks, in any of his settlements, which he has not done, or used it for wastage which he denies, I then again ~~he must~~ ask what has become of it? ~~have kept it for himself~~, He certainly has not returned it to the Depositor. The M&R says that he does not know how I can reconcile the statement, that he was always well pleased when I made an allowance in his favor, with his remark endorsed "a weak invention of the enemy". The Capricious irritable temper of the M&R & his Consequent inconsistency are sufficient to explain it, He did make both observations & it is for him to reconcile them. I will however be careful in future to make no deductions in his favor from deposites.

The insinuation that I have an off hand way of assaying &c I repel with the Contempt it merits. It is a false & wicked assertion after my repeated disclaimers, & oath to the Contrary. The Director at Philadelphia will judge of the Correctness of my Charge about false entries in the book entitled book of Gold melts; If I have mis=taken the numbers it will be easily detected, & I shall with pleasure acknowledge my error, I would however observe that the M&R has already told two different stories about one of the false entries. at first he endeavou=red to explain the discrepancy by saying that he had

Only Seperated part of the Gold Contained in No 51 of Lozardis deposits, now he says it was Ganaht's Gold deposited in January 1839 & which amounted to 350,741 oz Gold.

To all that the M&R observes about Kelly's deposite of Gold, I refer to the testimony of Mr Dimitry, which I firmly believe, also to the fact of the title falling short 23 1/2 m, but above all to the Question of Mr Barker (suggested by the M&R.) adverted to in my last letter That, I consider an unequivocal admission of the fact: It is Mr Bradford, not Humphreys, who testifies when I observe, what Mr Bradford has stated on oath that the M&R. told him that Humphreys had mixed the Bullion. Nixon & Levick were not examined on this subject it is true but it is because there was not time, & the fact was sufficiently established without their evidence. I am compelled to remark that I never charged the M&R. with having conspired with the enemies of the Branch Mint & of the Government to put down this Mint. I said he had placed himself by his conduct, which originated from his bitter prejudice & malicious designs against me, in a position from which the inference might be drawn that he was allied with the enemies of the mint & of the Government. as the fact of his having called on Messrs Gordon & Forstall & Zacharie was avowed by him openly, & as Mr Zacharie appeared, & his testimony is recorded, it was deemed unne=cessary to give Messrs Gordon & Forstall the trouble of coming to the mint. The same statement was made by Messrs Gordon & Forstall to our Treasurer, Mr Bradford & myself. I refer to my letter on the subject. It is hardly worth while to allude to the contemptible remark about my Country, the remark was false in all respects, England not Ireland, is the Country of my birth, I am allied — closely to the french as my mother was a french woman, & am identified with the South, having married a Southerner, having had children born in the South & having resided eighteen years in the Southern States.

The remark that the Superintendent & myself were guilty of Culpable neglect in reference to the alledged excess of Gold amounting to $600, & that we were determined to pass it by, is false – I Stated, & Mr T Bradford has Confirmed the Statement on oath, that I proposed to have all the Gold cast into Standard ingots which would Show at once and beyond dispute whether there was an excess or not – I refer par-=ticularly to my first letter to the Superintendent on this subject which is on file

I Shall now close this most unpleasant dis-=cussion by again affirming that the M & R told me & Mr Bradford that a Similar excess of Gold had occurred in Philadelphia in 1837, when there was a great deficiency in the Silver account, that the Gold was passed to the Credit of the Silver account, & brought it within the limits of the Law = at that time the Depositor was not thought of & no Consientious feeling Seems to have distrurbed the now Sensitive Melter & Refiner.

Respectfully,
Wm. P. Hort M.D.
assayer.

P.S.

I am happy to add that I could refer to the Senators who recommended me, & to many members of Congress, who interested themselves for me, & to some of the most distinguished men in the U.S. – with whom I have been on terms of Close personal friendship, for proof of my reputation & Standing in Society, if I deemed it necessary.